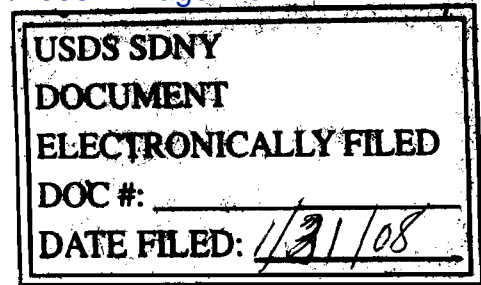


THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
100 CHURCH STREET  
NEW YORK, NY 10007

MICHAEL A. CARDOZO  
*Corporation Counsel*

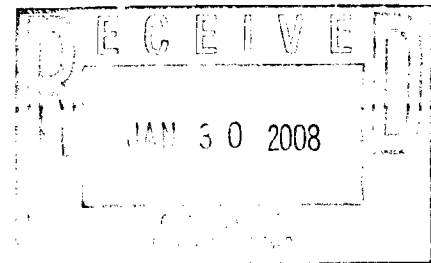


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January 29, 2008

**By Hand**

Judge Victor Marrero  
United States District Court  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 660  
New York, New York 10007



Re: Jaibe Sivadel v. The City of New York, et al.  
08 CV 167 (VM)

Your Honor:

I am an attorney in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for the defendant City of New York in this civil rights action alleging police misconduct. I am writing to respectfully request a sixty-day extension of time from February 6, 2008 to April 4, 2008, to respond to the complaint on behalf of the City of New York. Counsel for the plaintiff, Earl Ward, consents to this request.

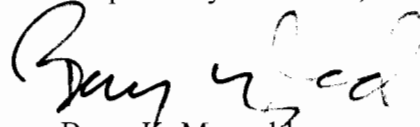
There are several reasons for seeking an extension of time to respond in this matter on behalf of the City. In accordance with this office's obligations under Rule 11 of the Federal Rules of Civil Procedure, we need time to investigate the allegations of the complaint. Here, plaintiff, Jaibe Sivadel, alleges that he was falsely arrested, maliciously prosecuted, subjected to excessive force and a deliberate indifference to his medical needs in connection with an arrest made on October 11, 2006. Plaintiff also alleges that the charges against him were dismissed. Currently, this office is in the process of forwarding to plaintiff's counsel for execution a consent and authorization for the release of the records that have been sealed pursuant to N. Y. Criminal Procedure Law § 160.50. The executed release is necessary for our office to obtain the District Attorney, Criminal Court and police records pertaining to plaintiff's alleged arrest. This office is also in the process of forwarding to plaintiff's counsel for execution medical releases which are necessary for our office to obtain the medical records pertaining to plaintiff's alleged injuries and treatment.

Honorable Victor Marrero  
Sivadel v. NYC, et al.  
January 29, 2008  
Page 2

Accordingly, we respectfully request that the City's time to respond to the complaint be extended to April 4, 2008. No previous request for an extension of time to respond to the complaint has been made in this action.

I thank the Court for its time and consideration of this request.

Respectfully submitted,


  
Barry K. Myrjold

cc: Earl S. Ward  
*Attorney for Plaintiff*

By E-Mail (pdf copy)

Norman H. Siegel  
*Attorney for Plaintiff*

By E-Mail (pdf copy)

<b>Request GRANTED.</b> The time for defendant(s) to answer or otherwise move with respect to the complaint in this action is extended to <u>4-4-08</u>	
<b>SO ORDERED.</b>	
<u>1-31-08</u> DATE	 VICTOR MARRERO, U.S.D.J.